

**DELEGATION OF AUTHORITY
CLEAN WATER ACT (CWA)**

State Capitalization Grants

1. **AUTHORITY.** To approve grants for the establishment of State Water Pollution Control Revolving Funds (SRF) pursuant to Title VI of the Clean Water Act, as amended, and to perform other activities necessary for the administration of the SRF program.
2. **TO WHOM REDELEGATED.**
 - a. The Regional Administrator does not redelegate the authority for approving the initial grant agreement with each State pursuant to Section 602 of the Clean Water Act.
 - b. The authority to approve amendments to the initial agreements or to approve subsequent agreements is redelegated to the Director, Water Division, or equivalent.
 - c. The authority under Delegation 1-14-A to execute the grants is redelegated through the Director, Mission Support Division, or equivalent, and through the Branch Chief, Grants and Interagency Agreements Branch, or equivalent, to the Section Chief, Grants Section, or equivalent.
3. **LIMITATIONS.** Concurrence by the Water Enforcement Division is required for the following:
 - a. The first State Capitalization Grant in each Region;
 - b. All cases in which the State requests an exception to cash draw procedures related to particularly aggressive leveraging proposals or other cases which would involve the draw of cash at a more accelerated rate than specified in 40 CFR 35.3160, except where concurrence was given for the draw of cash at an accelerated rate on a previous grant and no changes to the structure of the program have occurred or are requested; and
 - c. All grants where the State Revolving Fund will be used to generate payment for State match bonds, except where concurrence was given for State match bonds on a previous grant and where no changes to the structure of the program have occurred or are requested.
4. **REDELEGATION AUTHORITY.**
 - a. The authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **SUPERSESION.** This delegation supersedes R10 2-54 (10/28/2004) and any other delegation of the same authority.

6. ADDITIONAL REFERENCES.

- a. Clean Water Act §§ 205(m), 319, and 320.
- b. 40 CFR 31.
- c. 40 CFR 35, Subpart K.
- d. EPA Delegation 1-14-A.
- e. EPA Delegation 2-54.

May 16, 2019
Date


Chris Hladick
Regional Administrator